

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,)	
)	C.A. No. 06-91-SLR
Plaintiff,)	
)	
v.)	PUBLIC VERSION
)	
ACUSHNET COMPANY,)	
)	
Defendant.)	

**COMPENDIUM OF EXHIBITS IN SUPPORT OF ACUSHNET'S BRIEF
IN OPPOSITION TO CALLAWAY GOLF'S MOTION
FOR PERMANENT INJUNCTION**

VOLUME 6

EXHIBITS 41 TO 43

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Dated: February 25, 2008
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850758 /30030

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on March 3, 2008, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I further certify that on March 3, 2008, the attached document was Electronically Mailed to the following person(s):

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EXHIBIT 41

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EXHIBIT 42

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EXHIBIT 43

Little, Nicholas

From: Donnelly, Ken
Sent: Monday, February 25, 2008 7:27 AM
To: Little, Nicholas; Rosenthal, Brian
Subject: FW: Callaway v. Acushnet - ruling re: Phil Mickelson

----- Original Message -----

From: Stephanie_Obyrne@ded.uscourts.gov <Stephanie_Obyrne@ded.uscourts.gov>
To: halkowski@fr.com <halkowski@fr.com>; Horwitz, Richard L.
Cc: Francesca_Tassone@ded.uscourts.gov <Francesca_Tassone@ded.uscourts.gov>
Sent: Mon Dec 10 17:49:16 2007
Subject: Callaway v. Acushnet - ruling re: Phil Mickelson

Counsel,

Having considered the parties' arguments regarding Phil Mickelson's proffered testimony, Judge Robinson has concluded that the marginal relevance of such testimony is outweighed by the danger of unfair prejudice attributed to his celebrity status. The court cautions in this regard, however, that the fact that Mr. Mickelson did not testify at trial cannot be used in any way by Acushnet to challenge the veracity of the statements and/or conduct attributed to him in the articles already allowed into evidence.

Judge Robinson will put Her ruling on record tomorrow morning. She will not entertain further submissions on this issue.

Very best regards,

Stephanie O'Byrne
clerk to the Hon. Sue L. Robinson
United States District Court for the District of Delaware